

Appl. No. 09/895,527
Amdt. Dated August 4, 2005
Reply to Office action of May 4, 2005
Attorney Docket No. P13735-US2
EUS/J/P/05-1201

REMARKS/ARGUMENTS

1.) Claim Amendments

Claims 1-3, 5, 13-16, 19, 23 and 37-39 have been amended and claims 34 and 35 have been cancelled. Claims 1-33 and 36-39 remain pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

2.) Examiner Objections – Specification

The Examiner objected to the specification because of certain informalities. In response, the Applicants have amended the specification as suggested by the Examiner. The Examiner's consideration of the amendments to the specification is respectfully requested.

3.) Examiner Objections - Claims

The Examiner objected to claims 1, 2, 3, 5, 19 and 23 because of certain informalities. The Applicants have amended the claims as suggested by the Examiner. The Examiner's consideration of the amended claims is respectfully requested.

4.) Claim Rejections – 35 U.S.C. §101

The Examiner rejected claims 13-16 and 34-35 on the asserted basis that the claimed invention is directed to non-statutory subject matter. The Applicants have cancelled claims 34-35 and, thus, the Examiner's rejection thereof is moot. With respect to claims 13-16, the Applicants have amended those claims to clarify that they are directed to statutory subject matter. Claim 13 now recites:

13. A method for reducing jitter in an Internet Protocol packet transmission in a network which uses a strict source route option, a forwarding cache and internet protocol (IP) destination address for information packets, the network having at least one ingress Border Router and an egress Border Router and an Intermediate Router, said method comprising the steps of:

an ingress Border Router receiving and recognizing information packets with firm jitter requirements;

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the ingress Border Router containing and maintaining a list of shortest and fastest forwarding paths to each egress Border Router, said list being stored and managed by a network domain provider;

checking to see if a recognized packet has a forwarding cache entry for its destination address, and if negative, causing the ingress Border Router to use special filters to extract a selected shortest and fastest path to an egress Border Router which best matches the IP packet destination address;

if the ingress Border Router has an entry for its IP destination address, then forwarding all subsequent packets with the same destination address to a next hop address stored in its forwarding cache;

inserting in the Strict Source route option, a list of router addresses that identify said selected shortest and fastest path;

storing in a forwarding cache a next hop IP address for said destination address; and

selectively updating each said selected shortest and fastest path using a time period T_{update}. (emphasis added)

Claim 13 is directed to a method for reducing jitter in an Internet Protocol packet transmission in a network, the method comprising specific steps performed by physical entities within the network. The recited steps include containing and maintaining a list of shortest and fastest paths in an ingress Border Router, checking to see if a recognized packet has a forwarding cache entry for its destination address, etc. Under 35 U.S.C. §101, a patent may be obtained for an invention directed to any new and useful process (*i.e.*, a method). Therefore, whereas claim 13 is directed to a new and useful method for reducing jitter in an Internet Protocol packet transmission in a network, claim 13 is directed to statutory subject matter. Furthermore, whereas claims 14-16 are dependent from claim 13, and include the limitations thereof, those claims are also directed to statutory subject matter.

5.) Claim Rejections – 35 U.S.C. §103(a)

The Examiner rejected claim 34 as being unpatentable over Goyal *et al.* (US 6,466,985) in view of Civanlar, *et al.* (US 6,078,963). In order to expedite allowance of this application, the Applicant has cancelled claim 34 without prejudice or disclaimer. Therefore, the Examiner's rejection thereof is moot.

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6.) Allowable Subject Matter

The Applicant gratefully acknowledges the allowance of claims 1-12, 23-33 and 36-37. The Examiner also indicated that claims 17-22 and 38-39 were objected to as being dependent upon rejected base claims, but would be allowable if rewritten in independent form, including all of the limitations of their respective base claim and any intervening claims.

With respect to claims 17-22, which are dependent from claim 13, it has been established *supra* that claim 13 has been amended to clarify that it is directed to statutory subject matter and is allowable. Accordingly, claims 17-22, which include the limitations of claim 13, are also now allowable.


With respect to claims 38-39, each of those claims has been amended to include the subject matter of base claim 35. Therefore, claims 38-39 are now allowable.

CONCLUSION

In view of the foregoing amendments and remarks, the Applicants believe all of the claims currently pending in the Application to be in a condition for allowance. The Applicants, therefore, respectfully request that the Examiner withdraw all rejections and issue a Notice of Allowance for claims 1-33 and 36-39.

The Applicants request a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,


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